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8 **UNITED STATES DISTRICT COURT**
9 **DISTRICT OF NEVADA**

10 UNITED STATES OF AMERICA,
11 Plaintiff,
12 vs.
13 QING SHI,
14 Defendant.

CASE NO. 2:20-cr-00102-GMN-DJA

**STIPULATION TO CONTINUE MOTION
DEADLINES AND TRIAL DATES
(First Request)**

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16 IT IS HEREBY STIPULATED by and between Kathleen Bliss, Esq. and Jacqueline
17 Tirinnanzi, Esq., counsel for Defendant Qing Shi; and Kimberly Sokolich, Assistant United
18 States Attorney, that the Court vacate its deadlines in this case and continue the motions deadline
19 and trial date for at least 90 days. The parties thus stipulate that the calendar call currently
20 scheduled for August 3, 2021, at 9:00 a.m., and the trial scheduled for August 9, 2021, at 9:00
21 a.m. (ECF No. 10), be vacated and reset on a date and time convenient to this Court, with trial
22 scheduled to begin no sooner than November 2, 2021. It is further stipulated and agreed that the
23 current pre-trial motions deadline of July 3, 2021 (ECF No. 13) be reset to a time no sooner than
24 October 2, 2021.

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26 The stipulation is entered for the following reasons:

- 27
28 1. Defendant Qing Shi is charged with Conspiracy to Distribute a Controlled

1 Substance (21 U.S.C. §§ 846(a)(1) and 841(b)(1)(A), and Distribution of a Controlled Substance
2 (21 U.S.C. §§ 841(a)(1) and 841(b)(1)(A)(viii).

3 2. The Court set trial on August 9, 2021, with calendar call on August 3, 2021. (ECF
4 No. 10, Order Regarding Trial).

5 3. Counsel for the defendant was court appointed on June 14, 2021 (ECF No. 12), at
6 which time counsel had the first meeting with Defendant Shi.

7 4. The government provided discovery on June 24, 2021 and the defense requires
8 time to review the discovery.

9 6. Failure to grant this continuance would deny counsel for the defendant the
10 reasonable time necessary for effective trial preparation, considering the exercise of due
11 diligence. *See* 18 U.S.C. § 3161(h)(7)(B)(iv). Additionally, denial of this request for a
12 continuance would deny counsel for the defendant sufficient time to effectively and thoroughly
13 prepare and submit pretrial motions and notices of defense, taking into account the exercise of
14 due diligence.

15 7. This is the first request for continuance of trial and pretrial motions deadlines.

16 8. Defendant Shi is not in custody and do not object to this continuance.

17 9. The denial of time requested by this stipulation could result in a miscarriage of
18 justice.

19 10. The additional time requested by this stipulation is excludable in computing the
20 time within which trial must commence pursuant to the Speedy Trial Act, § 3161(h)(7)(A),
21 considering the factors under Title 18, United States Code §§ 3161(h)(7)(B)(i) and
22 3161(h)(B)(iv).

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/s/ Kimberly Sokolich
Kimberly Sokolich
Assistant U.S. Attorney

/s/ Kathleen Bliss
Kathleen Bliss
Attorney for Qing Shi

Dated this 25th June day of June 2021.

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff;

vs.

QING SHI

Defendant.

CASE NO. 2:20-cr-00102-GMN-DJA

**FINDINGS OF FACT, CONCLUSION OF
LAW AND ORDER**

FINDINGS OF FACTS

Based on the stipulation of counsel, good cause exists to continue the pretrial motions deadlines and trial date for 90 days. The additional time is to allow the government to produce discovery and to allow defense counsel sufficient time to review all discovery and to prepare for trial if this case cannot be resolved short of trial. The Court thus FINDS as follows:

1. Defendant Qing Shi is charged with Conspiracy to Distribute a Controlled Substance (21 U.S.C. §§ 846(a)(1) and 841(b)(1)(A), and Distribution of a Controlled Substance (21 U.S.C. §§ 841(a)(1) and 841(b)(1)(A)(viii).

2. The Court set trial on August 9, 2021, with calendar call on August 3, 2021. (ECF No. 10, Order Regarding Trial).

3. Counsel for the defendant was court appointed on June 14, 2021 (ECF No. 12), at which time counsel had the first meeting with Defendant Shi.

4. The government provided discovery on June 24, 2021 and the defense requires time to review the discovery.

6. Failure to grant this continuance would deny counsel for the defendant the reasonable time necessary for effective trial preparation, considering the exercise of due

1 diligence. *See* 18 U.S.C. § 3161(h)(7)(B)(iv). Additionally, denial of this request for a
2 continuance would deny counsel for the defendant sufficient time to effectively and thoroughly
3 prepare and submit pretrial motions and notices of defense, taking into account the exercise of
4 due diligence.

5 7. This is the first request for continuance of trial and pretrial motions deadlines.

6 8. Defendant Shi is not in custody and do not object to this continuance.

7 9. The denial of time requested by this stipulation could result in a miscarriage of
8 justice.

9 10. The additional time requested by this stipulation is excludable in computing the
10 time within which trial must commence pursuant to the Speedy Trial Act, § 3161(h)(7)(A),
11 considering the factors under Title 18, United States Code §§ 3161(h)(7)(B)(i) and
12 3161(h)(B)(iv).

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15 **CONCLUSION OF LAW**

16 For all the above-stated reasons, the ends of justice served by granting the requested
17 continuance outweigh the best interest of the public and the defendant in a speedy trial, since the
18 failure to grant a continuance would likely result in a miscarriage of justice, would deny parties
19 sufficient time to prepare for trial, taking into account the exercise of due diligence.

20 The continuance requested by the parties is excludable under the Speedy Trial Act, Title
21 18, United States Code, Section (h)(7)(A), when considering the factors under Title 18, United
22 States Code, Sections 3161(h)(7)(B)(i) and (iv).

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25 **ORDER**

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27 **IT IS THEREFORE ORDERED** by and between the parties herein, the deadlines
28 for filing of any and all pretrial motions and notices of defenses are hereby due on or before the

1 15th day of October, 2021.

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3 **IT IS FURTHER ORDERED** that the deadlines for filing of responsive pleadings, are
4 hereby due on or before the 29th day of October, 2021.


5 **IT IS FURTHER ORDERED** that the deadlines for filing any and all replies
6 to dispositive motions are hereby due on or before the 5th day of November, 2021.

7 **IT IS FURTHER ORDERED** that trial briefs, proposed voir dire, proposed jury
8 instructions, and a list of the government's prospective witnesses must be electronically
9 submitted to the Court on or before the 2nd day of December, 2021.

10 **IT IS FURTHER ORDERED** that the calendar call currently scheduled on August 3,
11 2021, is hereby vacated and reset to December 7, 2021, at 9:00 a.m. in Courtroom 7D.

12 **IT IS FURTHER ORDERED** that the trial currently scheduled on August 9, 2021, is
13 hereby vacated and reset to December 13, 2021, at 8:30 a.m. in Courtroom 7D.

14 DATED: July 1, 2021

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20 THE HONORABLE GLORIA NAVARRO
21 UNITED STATES DISTRICT JUDGE
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